

## U.S. and South Pacific Island States Sign Regional Fisheries Treaty

On 2 April 1987, representatives of the United States and Pacific Island States signed a 5-year regional fisheries treaty in Port Moresby, Papua New Guinea. The Pacific Island States which signed the agreement were: Australia, the Cook Islands, the Federated States of Micronesia, Fiji, Kiribati, the Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, the Solomon Islands, Tuvalu, Vanuatu and Western Samoa. The treaty sets forth the terms and conditions which will apply to fishing by U.S. vessels in the region. The treaty will enter into force after ratification by the United States and ten of the signatory Pacific Island States. Three of these ten must be Papua New Guinea, Kiribati, and the Federated States of Micronesia.

### Regional Licenses

Under this treaty, the U.S. tuna industry will purchase annual regional licenses issued by the South Pacific Forum Fisheries Agency (FFA). During the first year, the industry has guaranteed the purchase of at least \$1.75 million worth of licenses (35 licenses at \$50,000 per vessel). In addition, \$250,000 in annual technical assistance from the U.S. industry—the most advanced in the world—will help the Island States develop their own fishing industries. In many instances, fisheries are the principal natural resource available for development by the Island States.

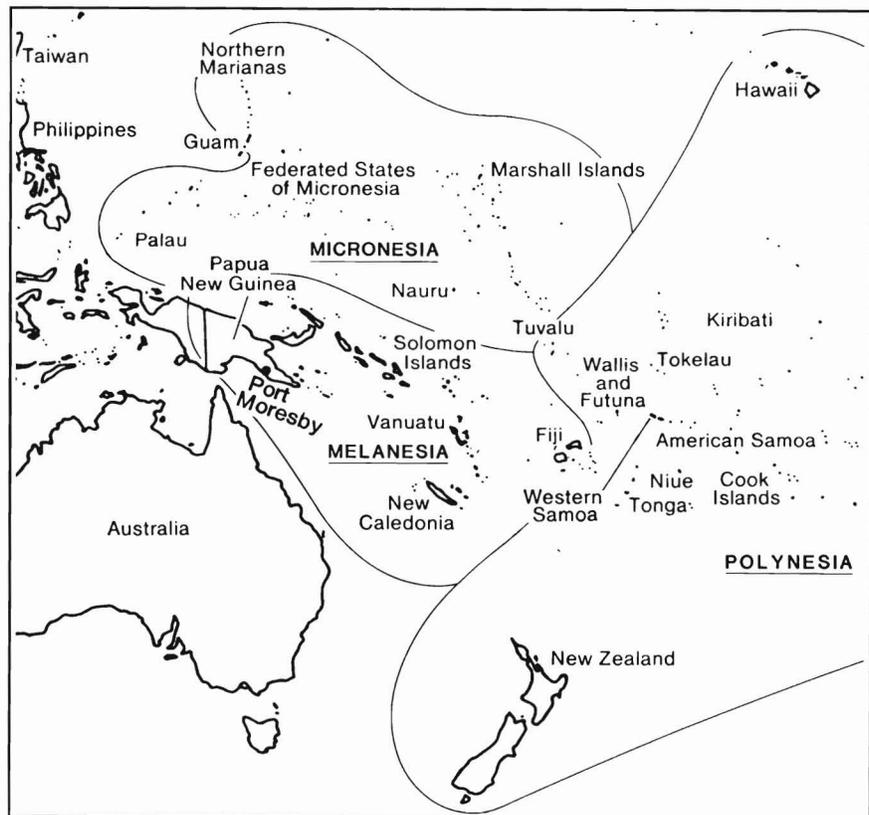
Associated with the treaty is an agreement between the Agency for International Development (AID) and the FFA which provides an annual assistance package of \$10 million to the Pacific Island States for 5 years. Of this assistance, \$9 million will be in the form of a cash transfer, while \$1 million will be in the form of AID development projects. The treaty is the product of over 2 years of

intensive negotiations which began in September 1984 in an effort to resolve the access problems encountered by U.S.-flag tuna vessels fishing in the region. The successful conclusion of the treaty is in the best spirit of the long tradition of close and productive relations between the U.S. and the Pacific Island States.

### Background

During the past several years, the U.S. tuna fleet has been fishing extensively in

the Western Pacific Ocean. This region has now become a significant fishing area for the tuna fleet, though its traditional fishing grounds in the Eastern Pacific remain important as well. The United States neither claims nor recognizes jurisdiction over highly migratory species of tuna beyond 12 n.mi. from the coast. This position is mandated by the Magnuson Fishery Conservation and Management Act and was endorsed by the Presidential Proclamation of 10 March 1983, establishing an Exclusive Economic Zone. However, all Pacific Island States claim jurisdiction over tuna to 200 n.mi. from their coasts. This jurisdictional dispute has resulted in the seizure of two U.S. tuna vessels in the Western Pacific in recent years: the *Danica* in 1982 by Papua New Guinea and the *Jeanette Diana* in 1984 by the Solomon Islands. Both incidents triggered retaliatory embargoes by the United States, as man-



dated by the Magnuson Act, on imports of tuna products from the seizing nations.

### Negotiations

To resolve these problems, the United States began to negotiate a regional licensing agreement with 16 Pacific Island States. After the negotiations began, the region took on increased importance when the Soviet Union successfully negotiated a fisheries access agreement with the island nation of Kiribati and began to make overtures to other countries in the region. The agreement with Kiribati lapsed after 1 year. However, the Soviet Union recently concluded a 1-year agreement with Vanuatu. The treaty provides the Island States with an alternative to dealing with the Soviet Union on fisheries. The treaty sets out terms and conditions under which U.S.-flag fishing vessels will be able to purchase regional licenses to gain access to some 10 million square miles of rich fishing waters in the South Pacific Ocean which are within the 200-mile Exclusive Economic Zones of the Island States. Such an agreement would eliminate the prospect of seizures of U.S. vessels and the subsequent imposition of retaliatory embargoes.

The U.S. Department of State believes that the agreement is a very good one from the point of view of the U.S. industry and fishermen involved in the region. The regional nature of the agreement makes a great deal of operational and practical sense from the fisherman's point of view. The U.S. tuna industry will pay at least \$2 million per year for this access. It has guaranteed the purchase of 35 regional licenses at \$50,000 each (\$1.75 million) in the first year of the treaty, plus provide \$250,000 in technical assistance to the FFA (acting as agent for the Island States). Up to 5 additional licenses (to a total of 40) may be purchased for \$50,000 each; 10 further licenses (up to a total of 50) may be purchased for \$60,000 each. In future years of the agreement, license fees will be indexed to the average price of yellowfin and bigeye tuna. However, the annual cost of an individual license will not drop below \$50,000 per vessel. In an associated agreement, the U.S. Government, through AID, will provide \$10 million

annually for 5 years, in economic support to the Island States.

### Federal Assistance

The U.S. Government assistance, called for by the agreement, responds to the long-standing U.S. commitment to assist the economic development of these democratic, pro-western Island States. The treaty will come into force when ratified by the United States and 10 Pacific Island States. Parties to the treaty are: Australia, the Cook Islands, the Feder-

ated States of Micronesia, Fiji, Kiribati, the Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, the Solomon Islands, Tonga, Tuvalu, Vanuatu, Western Samoa, and the United States. We expect that the treaty will come into force during the summer or fall of 1987. License fees and U.S. Government assistance called for under the treaty and the associated agreement must be paid before the industry may receive licenses. (Source: U.S. Department of State press release and IFR 87/26.)

### Antarctic Fish Stocks May Be in Trouble

Heavy commercial fishing in Antarctic waters, primarily by the Soviet Union, may have substantially depleted fish stocks in the region, according to a survey being conducted by the Commerce Department's National Oceanic and Atmospheric Administration (NOAA). William E. Evans, head of NOAA's National Marine Fisheries Service, said substantial decreases in fish populations could adversely affect other marine life in the area.

The loss in stocks off the Antarctic Peninsula and in the Scotia and Waddell seas was revealed in reports from fisheries scientists to the 19-member Commission for the Conservation of Antarctic Marine Living Resources. The Soviet Union is the primary fishing nation in the region. Groups of 6-12 Soviet trawlers were observed fishing in the survey area during the December 1986 leg of the research cruise.

Catches in the South Georgia region, about 1,000 miles east of the tip of South America, increased from about 4,000 tons in the 1972-73 season to a peak of a half-million tons in 1979-80, dropping to less than 75,000 tons in 1984-85. During the early years of harvesting, target species included the cod-like *Notothenia*, now apparently severely depleted. The commission eliminated fishing for *Notothenia* in 1984. The stocks of *Notothenia* in South Georgia waters this season are estimated at one-tenth those observed on an exploratory cruise conducted by West Germany in 1982, Evans

said. Analysis is under way by U.S. and Polish scientists to confirm the preliminary findings.

Data from the survey suggest that icefish, a medium-sized, bottom-dwelling species heavily fished in the late 1970's, are depleted or approaching depletion. The survey is being conducted jointly by the NMFS and the Sea Fisheries Institute of Poland, on the Polish vessel *Prof. Siedlecki*. It was currently operating in the vicinity of the Antarctic Peninsula, and had traversed the entire shelf area around South Georgia in the most thorough and extensive survey undertaken to date.

Member nations of the commission include Argentina, Australia, Chile, West Germany, France, East Germany, Japan, Norway, Poland, the USSR, the United Kingdom, and the United States. Evans said, however, that an evaluation made on one season's effort must be interpreted "cautiously."

### Cape Hatteras Maritime Interpretive Center Eyed

The National Oceanic and Atmospheric Administration (NOAA) is considering a North Carolina proposal to establish a maritime interpretation center at Cape Hatteras, N.C., which would highlight the USS *Monitor* as the most famous shipwreck in the "Graveyard of the Atlantic." Herbert Kaufman, chief of NOAA's Marine and Estuarine Management Division, which administers the USS *Monitor* Project and manages the *Monitor* National Marine Sanctuary off

Cape Hatteras, N.C. said, "The *Monitor*, which was built in New York, fought its most famous battle at Hampton Roads, and sank off Cape Hatteras, is a national treasure. North Carolina's proposal is the kind of participation that we are encouraging among a number of museums and other groups that can play key roles in telling the story of the *Monitor*."

NOAA recently selected the Mariners' Museum of Newport News, Va., to be the principal *Monitor* museum, and recommended that other groups and museums, including the state of North Carolina, participate in the display and interpretation of *Monitor* artifacts. This could include loans of artifacts and the interpretation of specific aspects of the *Monitor* story. Further discussions on the North Carolina initiative will be held between NOAA officials and the Director of the North Carolina Division of Archives and History and the Chairman of the North Carolina Marine Science Council, in conjunction with final arrangement being made with the Mariners' Museum. The Civil War ironclad USS *Monitor*, popularly credited with ending the era of wooden warships, sank in 230 feet of water 16 miles off Cape Hatteras on New Year's Eve in 1862 while under tow during a raging storm. It fought its most famous battle at Hampton Roads with the Confederate ironclad *Virginia* (formerly the *Merri-mack*) on 9 March 1862.

## Albacore Studied by NMFS, New Zealand, and French Scientists

The NOAA ship *Townsend Cromwell* completed 2 months of fish stock surveys in the South Pacific in March, gathering information on albacore, *Thunnus alalunga*, crab, shrimp, and bottomfish. Reports Jerry A. Wetherall, chief scientist on the albacore survey, the albacore research was a collaborative effort of the *Cromwell*, government research vessels from New Zealand and France (New Caledonia), and U.S. commercial albacore boats. Wetherall is with the Honolulu Laboratory of the NMFS Southwest Fisheries Center. Besides U.S. scientists from Honolulu and the SWFC's labora-

tory in La Jolla, California, the *Cromwell's* survey crew included biologists from New Zealand, the Cook Islands, and Tonga, Wetherall noted.

A main objective of the albacore research was to describe ocean characteristics in regions where albacore are concentrated near the sea surface and available for harvesting by U.S. trolling vessels. Another was to develop the capability to predict albacore migration routes and seasonal changes in their location.

Albacore are abundant in the South Pacific, but most of the annual catch of 35,000 tons is harvested in subtropical waters at depths of 450-750 feet by tuna longlining fleets from Taiwan, South Korea, and Japan. Only a few thousand tons are caught near the surface, mostly by small New Zealand trollers fishing near their home islands. In January 1986, two U.S. trollers ventured into the South Pacific for the first time, and made excellent catches at the surface in an area about 1,200 miles south of Tahiti. The boats returned to the same location this year, joined by five other trollers, and are again making phenomenal catches of up to 10 tons of albacore per day. The development of the South Pacific fishery is a welcome upturn of fortune for the U.S. albacore fleet, which has been plagued with a dwindling market in the North Pacific due to cannery closings in California and Hawaii.

The cooperative albacore survey took place in a band of water called the Subtropical Convergence extending from Chile to New Zealand about 2,400 miles south of the Equator. The Convergence is an area where subtropical and subantarctic waters blend together. Fishermen and biologists have found that this is where many kinds of open-ocean fishes are especially abundant. At over 100 locations in this zone the research vessels lowered special instruments to depths of over 3,000 feet to measure vertical and horizontal changes in ocean temperature and salinity. This information will be used to describe physical characteristics of the convergence and particularly the areas near the ocean surface considered optimum for albacore trolling. In these areas albacore concentrate to feed on small mackerel and other animals such as squid

and amphipods.

The research ships and the commercial boats also caught, tagged, and released alive several hundred albacore. It is hoped these fish will be caught again by U.S. fishermen, South Pacific islanders or Asian tuna longliners. A reward will be offered for return of the tagged fish. Recapture information will provide insights on South Pacific albacore migration habits, about which nothing is known. Such knowledge is vital for locating the best fishing grounds and seasons and for developing the scientific basis for international conservation of the albacore stock.

In addition to the oceanographic mapping and albacore tagging, the research vessels collected biological material for estimating the ages and growth rate of albacore and determining their geographical origins, maturity, fat levels, and food habits. Data collected during the surveys and commercial fishing operations will be shared among researchers and fishing interests in the participating countries and used as a basis for rational fishery development and assessment of optimum catch levels.

After the albacore survey was concluded, the *Cromwell* visited waters off Niue and American Samoa, where bottom depth contours were charted and a variety of fishing gear was used to sample deep slope resources. Jeffrey J. Polovina, chief scientist for this portion of the cruise, reports that several species of deepwater shrimps were trapped around both Niue and American Samoa, but preliminary catch rates suggest that this resource is less abundant in these areas than in Hawaiian waters. Nautilus were also obtained in shrimp and fish traps deployed around American Samoa.

## U.S., France to Study Mid-Atlantic Ridge

Anthony J. Calio, Under Secretary of Commerce and Administrator of the National Oceanic and Atmospheric Administration (NOAA), and Yves Sillard, Director-General of the Institut Francais de Recherche pour l'Exploitation de la Mer (IFREMER), announced in late March plans to conduct joint oceanographic investigations on the Mid-

Atlantic Ridge in 1990-92. Several U.S. and French agencies will participate in the multi-disciplinary project, which will focus on the structure, dynamics, and composition of the deep-sea floor, the circulation and dispersion of hydrothermal fluids, the related biological communities, and the presence of metalliferous deposits on the Mid-Atlantic Ridge. The project is a continuation of work by the two countries on the East Pacific Rise.

A joint U.S.-France task group will provide scientific recommendations and an organizational plan for a research program, including possibilities for research by scientists from other countries, by 1988. The project will include several months of operation at sea using surface ships and submersibles.

## **Turtle Saving Rules for Shrimp Boats Are Phased in This Year**

The Commerce Department issued regulations in June requiring shrimp fishermen in the Gulf of Mexico and parts of the Atlantic Ocean to begin reducing the number of sea turtles caught inadvertently in their nets. The regulations, culminating a series of discussions and public hearings with environmental groups and shrimp fishing organizations that began last fall, will become effective beginning, in some cases, in October 1987. They will require some shrimp boats to install turtle excluder devices, known as TED's, in their nets. The TED is designed to allow turtles to escape from trawl nets while the nets still retain the shrimp.

The Commerce Department's National Oceanic and Atmospheric Administration (NOAA) estimates that almost 48,000 turtles are caught each year in shrimp nets and more than 11,000 of them drown. Sea turtles, whose populations have fallen substantially in recent years, are protected by Federal law. NOAA said it expects these new regulations to reduce significantly the accidental killing of all five endangered and threatened sea turtles—the loggerhead, Kemp's ridley, green, leatherback, and hawksbill—found from Texas to North Carolina. The regulations will not require

TED's to be carried by shrimp boats of less than 25 feet fishing in offshore waters or shrimp boats of any length fishing in inshore waters, provided they limit the time they tow their nets to 90 minutes. There will be no tow-time restrictions for these boats if they install TED's.

Starting 1 October, shrimp boats 25 feet and longer fishing offshore in the Canaveral, Fla., area must use TED's. The TED requirement for other offshore boats 25 feet and longer will be phased in during 1988. Beginning 1 January, boats in the southwest Florida area will have to carry TED's when they are within 15 miles of shore. From March through November, shrimpers in the Gulf will be required to use TED's within 15 miles of shore. Shrimp boats in all Atlantic waters must use TED's from May through August. Copies of the regulations can be obtained from either Charles Karnella, National Marine Fisheries Service, Room 805, 1825 Connecticut Ave., N.W., Washington, DC 20235, or from Charles Oravetz, NMFS, 9450 Koger Blvd., St. Petersburg, FL 33702 (telephone 813-893-3366).

## **Sea Turtle Reports Are Ruled for Texas Closure**

Owners or operators of shrimp trawlers must report any incidental taking of endangered or threatened sea turtles in Federal waters outside the closed area off Texas according to Craig R. O'Connor, Acting Regional Director of the National Marine Fisheries Service (NMFS). The requirements for reporting incidentally caught sea turtles were published in the Federal Register on 21 May 1987, but were not in effect until approved by the Office of Management and Budget. That approval was published on 8 June.

Federal waters from 9 to 15 n.mi. offshore from Texas were closed on 1 June to coincide with the closure by Texas of its offshore waters. The closure is scheduled to remain in effect through 15 July. During this period, the owner or operator of a shrimp trawler that incidentally takes any sea turtle must report the following information within 24 hours after landing: The vessel's name, the species of turtle caught, the date and location where caught, whether alive or dead when re-

leased, whether or not the turtle was tagged, the tag number, if any, and the approximate tow time. Sea turtle identification guides and cards for submitting reports may be obtained from and reports must be submitted to: Director, NMFS Laboratory, 4700 Avenue U, Galveston, TX 77550.

## ***Alleged Turtle Killing Under Investigation***

On 23 July 1987, Federal agents from the National Marine Fisheries Service and officers of the Florida Marine Patrol jointly investigated an alleged butchering of a 250-pound loggerhead sea turtle in Sugarloaf Key, Fla. Loggerhead sea turtles are listed as a threatened species under the Endangered Species Act of 1973, 16 U.S.C. 1531 et seq., and regulations promulgated thereunder at 50 C.F.R. Part 227.

As a result of the investigation, Raymond E. Martinez and Suzanne S. Fernandez, both of Monroe County, Fla., were arrested on Saturday, 25 July 1987, on Federal warrants. Martinez and Fernandez appeared before U.S. Magistrate Hugh Morgan. They were each released on \$50,000 personal surety bonds. The information charges the defendants with conspiracy in the unlawful taking and possession of a threatened marine reptile that is a loggerhead sea turtle. A criminal conviction on these charges could result in fines up to \$10,000 and/or 6 months incarceration per count.

Two persons who fled the scene of the alleged crime were being actively sought for questioning. Anyone having information regarding the whereabouts of these two people should contact the National Marine Fisheries Service at 305-294-7444 or the Florida Marine Patrol at 305-743-6542. A trial date had not yet been set.

## **Monk Seals Moved to Hawaii's Kure Atoll**

Three 1-year-old Hawaiian monk seals were moved to Kure Atoll in early April as part of the National Marine Fisheries Service (NMFS) program to rebuild that seal population, reports Richard S. Shomura, Director of the NMFS South-

west Fisheries Center's Honolulu Laboratory. "These three females were rescued last summer as underdeveloped pups at French Frigate Shoals," Shomura reported. They were brought to Honolulu on chartered flights paid for by the Center for Environmental Education, a national nonprofit organization dedicated to protecting marine wildlife and their habitat.

William G. Gilmartin, Leader of the Honolulu Laboratory's Marine Mammals and Endangered Species Program, said "All three of the pups were initially taken to our Kewalo Research Facility where, with the assistance of a few volunteers, they were hand fed once or twice daily for several weeks before they began feeding on their own." Two of the pups were then transferred to the Waikiki Aquarium where they were cared for until about February, when they were returned to Kewalo Basin. "Monday morning the three were given their last meal of dead fish, and early Tuesday they were taken to the Coast Guard Station at Barbers Point for the 5-hour flight to Kure and their first live reef-fish meal," Gilmartin said. At Kure, with the assistance of Coast Guard Loran Station personnel, they were carried from the plane to a large fenced enclosure on the beach. "They will only be kept in this pen about a month," according to Gilmartin, "until they demonstrate they can catch sufficient live food on their own to support themselves. The enclosure is kept stocked with fish trapped in the lagoon there, so they learn to feed on the same species they will find when they are released." He added that "This technique has proven successful the last 2 years, 1985 and 1986, with five animals rehabilitated and relocated in the same manner: All are still alive and appear healthy." And, Gilmartin said "This effort is critical to recovery of the Kure monk seal population, since the number of births at Kure in recent years has been very low; last year only a single male pup was born. We are adding more females to Kure with this relocation work than are being born at Kure."

According to Shomura, "A very significant milestone was reached at the end of March at Kure when one of the first females reared in the pup 'Head Start'

project gave birth. This work, started in 1981, involves collection of all female pups at Kure after they are weaned. They are kept in this beach enclosure during the critical 2-5 months between weaning and the end of the summer, to protect them from sharks and aggressive adult male seals." The pups are flipper tagged before release and Gilmartin said, "That is how we are able to follow them year to year, and monitor survival, movement, and reproductive patterns. That tag information is how we knew that one of the 1981 pups gave birth this year." He said "The only other information available to us on age at first birth in the monk seal was a single animal known to have a pup at 7 years, but even at 6 years, this is a late maturing species, compared with other seals."

Gilmartin added that "Since the Head Start project was started at Kure in 1981, 13 Kure-born female pups have spent their first summer in the enclosure, and since 1985 eight female yearlings, relocated from French Frigate Shoals, have learned to feed in the enclosure before release at Kure. Of these 21 seals, only 1 has disappeared." Gilmartin emphasized the importance of this recent birth as the real measure of success: Getting more breeding females into the Kure monk seal population. And, he said "Everyone who has helped us with this recovery work over the last 6 years deserves some credit for this success, including the U.S. Fish and Wildlife Service, Center for Environmental Education, the U.S. Coast Guard, State of Hawaii, Waikiki Aquarium, and the many volunteers who have assisted with the collection and captive care and feeding of the young seals."

### **Hawaiian Research Eyes Pelagic Armorhead, Seals**

A 45-day research cruise by the NOAA ship *Townsend Cromwell*, which ended 14 May 1987, conducted fisheries research in the vicinity of the Hancock Seamounts, Northwestern Hawaiian Islands, and off leeward Oahu, reports Richard S. Shomura, Director of the NMFS Southwest Fisheries Center's Honolulu Laboratory. The cruise consisted of two parts; the first was 38 days

and involved primarily the collection of biological and oceanographic data from the Hancock Seamounts and adjacent waters. Secondary missions, according to Shomura, involved the establishment of a scientific field camp at Laysan Island in the Northwestern Hawaiian Islands for studies of the Hawaiian monk seal and other wildlife, and the transport of five adult monk seals from Laysan Island to Honolulu. The last 7 days involved sea trials of new sampling gear for juvenile fishes and invertebrates.

Robert L. Humphreys, Jr., Chief Scientist of the first part of the cruise, reported that fishing operations were conducted at the Hancock Seamounts to assess the relative abundance of pelagic armorhead and other commercially valuable fishes. These operations provide information for monitoring the recovery of these previously depleted fish stocks and also provided specimens for biological studies. The pelagic armorhead was the target of a Soviet and Japanese trawl fishery at these and other northern seamounts and were intensively fished during 1968-76. In 1977, U.S. implementation of the 200-mile Fishery Conservation Zone brought the Hancock Seamounts under U.S. jurisdiction. Limited foreign fishing, by permit only, occurred at the Hancock Seamounts during 1978-84, and by 1985 these seamounts were closed to all foreign fishing. Preliminary results from this and other recent cruises indicate that the armorhead resource at the Hancock Seamounts is slowly recovering.

During Leg I, current meter moorings were successfully deployed and retrieved for the first time from the summit and upper slopes of the Hancock Seamounts. Results should provide insight on the possible relationship between seamount oceanography, fish distribution, and food availability at the Hancock Seamounts.

The relocation of the five adult monk seals from Laysan Island to Honolulu is part of an investigation being conducted by Honolulu Laboratory personnel into incidences of "mobbing" behavior at Laysan Island involving the injury and death of female Hawaiian monk seals. All five adult monk seals removed from Laysan Island were aggressive males previously involved in such incidents. These

monk seals are currently being maintained at the Kewalo Research Facility of the Honolulu Laboratory.

The second leg of the cruise was conducted off Kahe Point, Oahu, and involved sea trials on three new types of gears for collecting juvenile fishes and invertebrates. Bert S. Kikkawa, Chief Scientist, reported that the new sampling tools included a fine mesh midwater rope trawl, a large surface or neuston trawl, and plastic light traps. These new tools will be used in the future to assess species diversity and distribution patterns of juvenile fishes and invertebrates for island recruitment, age, and growth studies.

### ***Japanese Request to Take Seals and Porpoises Cut***

The Commerce Department substantially reduced in May 1987 Japan's requested annual quota of certain marine mammals that could be killed during fishing operations in the 200-mile U.S. fishery conservation zone in the North Pacific Ocean and Bering Sea. The new Federal permit, which went into effect on 10 June, allows the salmon fishermen to take 6,039 Dall's porpoises over the next 3 years, but does not allow taking of seals or sea lions. The permit further set a limit of 2,942 porpoises that can be taken in any one year.

In July 1986, the Japanese, through a salmon fishing association, requested a 5-year permit that would have set an annual quota of 5,500 porpoises, 450 northern fur seals and 25 Steller sea lions caught accidentally during the salmon harvest. The marine mammals can become entangled, and frequently injured or drowned, in the nylon gillnets used by the Japanese fishermen. The ruling follows extensive hearings held late last year in Seattle, Wash., in which more than a dozen animal rights and environmental organizations and other groups, including the Japanese salmon fishing association, participated.

The administrative law judge in charge of the hearings had recommended a 5-year permit that would allow 1,750 porpoises and 45 northern fur seals to be killed or injured in 1987. The porpoise quota would have been reduced 5 percent

each year for the next 4 years. The Commerce Department's National Oceanic and Atmospheric Administration (NOAA) said the judge's recommendation would have allowed just under 5,000 porpoises and 135 fur seals to be taken in the first 3 years. But, NOAA added, the judge failed to provide a quota for taking Dall's porpoise from the Bering Sea population, even though he found the stock to be healthy.

NOAA's total quota is slightly higher than the judge's recommendation, the agency said, because it reflects the addition of the Bering Sea population. NOAA estimates the present population of Dall's porpoise in the western North Pacific to be just over 692,800, and in the Bering Sea to be about 216,000. NOAA was unable to determine if the Soviet stock of fur seals was depleted, although the agency does consider the stock of fur seals off Alaska's Pribilof Islands depleted. As a result, NOAA said, no incidental take of either stock will be allowed.

### **Mexican Fishing Vessels Seized, Fined, Released**

On 20 March, 1987, U.S. Coast Guard personnel from the cutter *Pt. Baker* and from the Coast Guard Station at Port Isabel, Tex., intercepted and seized two Mexican shark boats fishing illegally in the U.S. exclusive economic zone off Port Isabel, announced Craig O'Connor, Acting Regional Director, NMFS Southeast Regional Office. The two seized boats, 25- to 26-foot fiberglass open-cockpit crafts powered by 48-55 horsepower outboards, were fishing between 5 and 10 n.mi. north of the U.S.-Mexican border about 27 miles offshore. Both vessels made a run for the border before being apprehended. The vessels were part of a larger pack of vessels that had been observed fishing north of the border on 19 and 20 March by USCG air and sea units.

NMFS dispatched Special Agent Robert Williams to Port Isabel on 20 March to assume custody of the vessels, gear, and catch and to assist the Coast Guard boarding personnel with state-

ments and case preparation activities. Notices of Violation and Assessment were transmitted to Special Agent Williams on 25 March 1987 for service upon the owners/operators of the seized boats. The owners/operators of these boats were involved in an October 1986 incident when they were assessed and paid penalties of \$500 each for the return of their vessels. On Friday, 27 March 1987, Martin Hernandez and Higinio Gomez Mendoza settled their cases with the government by paying penalties of \$1,500 each, in addition to forfeiting their gear and fish. This is three times the settlement amount paid in October 1986.

Then, on 8 April 1987, U.S. Coast Guard personnel from the cutter *Pt. Nowell* and the Coast Guard Station at Port Isabel, Tex., intercepted and seized four more Mexican shark boats fishing illegally in the U.S. exclusive economic zone (EEZ) off Port Isabel, O'Connor reported. The U.S. Coast Guard had received complaints that Mexican shark boats were fishing in the U.S. EEZ. A Coast Guard helicopter, a 41-foot Coast Guard patrol boat, and the *Pt. Nowell* were dispatched to detect and intercept these vessels. The Coast Guard helicopter documented fishing activity by several Mexican vessels. The 41-foot patrol boat intercepted and seized three Mexican vessels before they could leave the U.S. EEZ. The *Pt. Nowell* intercepted and seized a fourth Mexican shark boat in the U.S. EEZ. The four vessels, 28- to 30-foot fiberglass open-cockpit crafts, were powered by 48-55 horsepower outboards.

NMFS dispatched two Special Agents to Port Isabel to assume custody of the vessels and gear. Special Agent Joseph Noone served the owners and operators (Respondents) of the four Mexican vessels with Notices of Violation and Assessment. The cases were settled between the Government and Respondents on Tuesday, 28 April 1987. The Respondents paid \$500 for each of the four violations, and forfeited the gear on-board the vessels. Additionally, the owners of the vessels agreed to relinquish and transfer to the U.S. Government the right, title, and interest in their vessels if they are observed violating the Magnuson Act again within 2 years.